

STATE OF MINNESOTA
IN COURT OF APPEALS

FILED

August 21, 2019

**OFFICE OF
APPELLATE COURTS**

Michelle L. MacDonald, et al.,

Appellants,

vs.

Michael Brodkorb, et al.,

Respondents.

ORDER

A19-0665

BASED ON THE FILE, RECORD, AND PROCEEDINGS, AND BECAUSE:

1. This appeal was filed on April 30, 2019. On August 20 and 21, 2019, respondents filed motions to dismiss the appeal on the ground of appellants' failure to timely file an appropriate brief.

2. The last day of appellants' briefing period is August 21, 2019, which is 33 days after the transcript was delivered to appellants' counsel via U.S. Mail on July 19, 2019. *See* Minn. R. Civ. App. P. 131.01, subd. 1.

3. A principal brief shall not exceed 45 pages, exclusive of pages containing the table of contents, tables of citations, and any addendum. Minn. R. Civ. App. P. 132.01, subd. 3.

4. Respondents state that appellants filed an unauthorized 47-page brief. On August 20, 2019, appellants filed a 45-page principal brief with an addendum. The tables

of contents and authorities are excluded from the 45-page limit under Minn. R. Civ. App. P. 132.01, subd. 3.

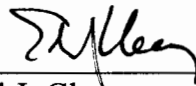
5. Because appellants filed a timely brief in compliance with the length limit under Minn. R. Civ. App. P. 132.01, subd. 3, there is no basis for dismissal of the appeal.

IT IS HEREBY ORDERED:

1. Respondents' motions to dismiss the appeal are denied.
2. In accordance with Minn. R. Civ. App. P. 131.01, subd. 2, respondents' brief remains due on September 19, 2019.

Dated: August 21 2019

BY THE COURT



Edward J. Cleary
Chief Judge